



February 25, 1999

## HOUSE BILL No. 1178

DIGEST OF HB 1178 (Updated February 24, 1999 9:17 am - DI 58)

**Citations Affected:** IC 5-20; noncode.

**Synopsis:** Housing finance. Changes the membership of the housing trust fund advisory committee. Establishes the affordable housing financing study commission.

**Effective:** Upon passage; July 1, 1999.

**Crawford**

January 6, 1999, read first time and referred to Committee on Ways and Means.  
February 24, 1999, amended, reported — Do Pass.

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HB 1178—LS 7014/DI 87+



February 25, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

## HOUSE BILL No. 1178

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 5-20-4-15 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 15. (a) The housing  
3 trust fund advisory committee is established.

4 (b) The committee consists of ~~sixteen (16)~~ **nine (9)** members to be  
5 appointed by the ~~governor~~ **board of the Indiana housing finance**  
6 **authority** as follows:

7 ~~(1) One (1) member of the division of mental health.~~

8 ~~(2) One (1) member of the division of family and children.~~

9 ~~(3) One (1) member of the division of disability, aging, and~~  
10 ~~rehabilitative services.~~

11 ~~(4) (1) One (1) member of the department of commerce.~~

12 **(2) One (1) member of the office of the secretary of family and**  
13 **social services.**

14 ~~(5) (3) One (1) member to represent residential real estate~~  
15 ~~developers.~~

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~~(6) One (1) member to represent construction trades.~~

~~(7) (4) One (1) member to represent banks and other lending institutions.~~

~~(8) (5) One (1) member to represent the interests of persons with disabilities.~~

~~(9) One (1) member to represent service providers.~~

~~(10) Two (2) members to represent neighborhood groups.~~

~~(11) One (1) member (6) Two (2) members to represent low income families.~~

~~(12) (7) One (1) member to represent nonprofit community based organizations and community development corporations.~~

~~(13) One (1) member to represent real estate brokers or salespersons.~~

~~(14) (8) One (1) member to represent the Indiana Apartment Owner's Association of Indiana.~~

~~(15) One (1) member to represent the manufactured housing industry.~~

At least three (3) members of the committee shall be from a city with a population of less than thirty-five thousand (35,000), a town, or a rural area.

(c) Members of the advisory committee shall serve a term of three (3) years. However, the **governor board of the Indiana housing finance authority** may remove for cause an appointed member of the advisory committee and fill vacancies of appointed members on the advisory committee.

(d) The advisory committee shall make recommendations to the housing finance authority regarding:

(1) the development of policies and procedures under section 14 of this chapter; and

(2) long term sources to capitalize the housing trust fund. including the following:

~~(A) Revenue from development ordinances, fees, or taxes.~~

~~(B) Market based or private revenue.~~

~~(C) Revenue generated from government programs, foundations, private individuals, or corporations.~~

(e) The advisory committee shall prepare and present an annual report that:

(1) describes disbursements under the housing trust fund; and

(2) makes recommendations to the board of the Indiana housing finance authority regarding long term sources to capitalize the housing trust fund.

SECTION 2. [EFFECTIVE UPON PASSAGE] (a) As used in this



1 SECTION, "commission" refers to the affordable housing  
2 financing study commission.

3 (b) The affordable housing financing study commission is  
4 established.

5 (c) The commission consists of the following members who must  
6 be representative of Indiana's various geographic regions:

7 (1) Two (2) members appointed by the president pro tempore  
8 of the senate from among the members of the senate who may  
9 not be members of the same political party.

10 (2) Two (2) members appointed by speaker of the house of  
11 representatives from among the members of the house who  
12 may not be members of the same political party.

13 (3) Ten (10) members appointed by the governor as follows:

14 (A) One (1) member representing the department of  
15 commerce.

16 (B) One (1) member representing the housing finance  
17 authority.

18 (C) One (1) member representing the office of the  
19 secretary of family and social services.

20 (D) One (1) member representing the interests of  
21 residential real estate developers.

22 (E) One (1) member representing the interests of banks  
23 and other lending institutions.

24 (F) One (1) member representing the interests of persons  
25 with disabilities.

26 (G) Two (2) members representing the interests of low  
27 income families.

28 (H) One (1) member representing the interests of nonprofit  
29 community based organizations and community  
30 development corporations.

31 (I) One (1) member representing the Apartment  
32 Association of Indiana.

33 (d) A member of the commission may be removed at any time  
34 by the appointing authority that appointed the member.

35 (f) The appointing authority shall fill a vacancy on the  
36 commission by appointing a member for the unexpired term.

37 (g) Each member of the commission who is not a state employee  
38 is entitled to the minimum salary per diem provided by  
39 IC 4-10-11-2.1(b). The member is also entitled to reimbursement  
40 for traveling expenses as provided under IC 4-13-1-4 and other  
41 expenses actually incurred in connection with the member's duties  
42 and provided in the state policies and procedures established by the



Indiana department of administration and approved by the budget agency.

(h) Each member of the commission who is a state employee, but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties and provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(i) Each member of the commission who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on interim study committees established by the legislative council.

(j) The commission is under the jurisdiction of the legislative council and shall operate under the direction of the legislative council.

(k) The chairperson of the legislative council shall appoint a chairperson and a vice chairperson from among the commission's legislative members.

(l) The commission shall meet at the call of the chairperson. Notice of the time, place, and agenda of a commission meeting must be given in the same manner as meetings for interim study committees established by the legislative council.

(m) The commission shall seek to devise a comprehensive financing strategy for affordable housing programs and programs for the homeless in Indiana. A financing strategy devised by the commission must:

- (1) ensure access to safe, decent, and affordable housing for all citizens in Indiana;
- (2) provide for the emergency, transitional, and supportive housing needs of people who are homeless;
- (3) preserve the availability of federally insured or assisted housing developments;
- (4) recommend reforms to the financing of affordable rental housing in Indiana;
- (5) recommend long term sources to capitalize the Indiana housing trust fund, including the following:
  - (A) Revenue from development ordinances, fees, or taxes.
  - (B) Market based or private sources.
  - (C) Revenue generated from government programs, foundations, private individuals, or corporations.



1       (n) The affirmative votes of a majority of the members  
2 appointed to the commission are required for the commission to  
3 take action, including final reports.

4       (o) Before December 15, 1999, the commission shall issue a final  
5 report stating its findings, conclusions, and recommendations. The  
6 commission shall issue other reports as directed by the legislative  
7 council.

8       (p) Funds necessary to carry out this SECTION must be allotted  
9 to the commission from funds appropriated to the legislative  
10 council.

11       (q) The legislative services agency shall provide staff support to  
12 the commission.

13       (r) This SECTION expires December 31, 1999.

14       SECTION 3. An emergency is declared for this act.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1178, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1178 as introduced.)

BAUER, Chair

Committee Vote: yeas 22, nays 0.

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